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DHAHRAN; NSC FOR AP/HSCT WAINSTEIN

E.O. 12958: N/A

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SUBJECT: SAUDIS MAKE SECOND REQUEST FOR PRESIDENTIAL
PARDONS

REF: 2008 RIYADH 1848

¶1. (U) The Saudi Arabian Government has for the second time requested Presidential pardons for three Saudi nationals currently imprisoned in the U.S. via a diplomatic note received by the Embassy on January 11, 2009. An Embassy translation of this note follows. The original will be e-mailed to NEA/ARP.

¶2. (U) Begin text of diplomatic note:

URGENT

The Ministry of Foreign Affairs of the Kingdom of Saudi Arabia (Consular Division) presents its complements to the Embassy of the United States of America in Riyadh.

With reference to the Ministry's note number 94/72/2/140335 dated 17/12/1429 (Dec. 15, 2008) listing names of Saudi prisoners in the United States who wish to obtain presidential pardon.

Attached herewith a copy of the news article published on 12/24/2008 about the presidential pardon for 19 prisoners in the U.S. and statistics published by the U.S. Department of Justice on 12/24/2008 detailing number of those issued presidential pardon on 12/24/2008 amounting to 171 prisoners.

The Ministry appreciates your support of our request for presidential pardon for Saudi prisoners in the United States.

The Ministry avails itself of this opportunity to renew the assurances of its highest consideration.

End text of diplomatic note.

¶3. (U) Begin text of news article attached to diplomatic note:

Bush issues presidential pardons to 19 prisoners, among them those who helped Israel in the 1948 war.

Wednesday - Dec. 24, 2008

President Bush granted clemency to 19 people Tuesday, including a man who was convicted of delivering planes used by Israel in its 1948 war of independence and a real estate developer whose father had donated tens of thousands of dollars to the Republican candidates and the party.

Charles Winters who died in 1984, bought and transferred three B-17 bombers to what would eventually become the

Israeli Air Force. He pleaded guilty to violating the Neutrality Act and served jail time.

Another man who received a pardon - Isaac Robert Toussie, of Brooklyn, N.Y.- pleaded guilty in 2001 to fraudulently obtaining mortgages from the Department of Housing and Urban Development. Public records show his father, real estate broker Robert Toussie, has donated or helped raise more than \$35,000 for Republican candidates and the party.

Reginal Brown, an attorney who worked on the Winter's pardon, said Mr. Bush's action "rights a historical wrong and honors Charlie's belief that the creation of the Jewish State was a normal imperative of his time. ...Charlie Winters helped shape human history for the better."

Those who were pardoned Tuesday were convicted of crimes ranging from drug offenses to mortgage fraud.

In addition to Mr. Winters and Mr. Toussie, those pardoned were William Thomas Alvis III of Publishing, Ohio; John Allen Aregood of Riviera, Texas; Eric Charles Blanks of Parker, Colorado; Steve Doyle Cavender of the Villages, Florida; Marie Elens Eppens of Lynden, Washington; Lydia Lee Ferguson of Sun City, Arizona; Eduviges Duvi Gonzalez-Matsumura of Clovis, California; George Clarence Greene Jr. of Gray, Georgia; James Won Hee Kang of South Barrington, Illinois; Alan Stephen Maiss of Reno, Nevada; Richard Harold Miller of Tallahassee, Florida; Delano Abraham Nixon of Neosho Rapids, Kansas;; John H. Ovewrholt of Black Hawk, South Dakota; Morris Keith Parker of Georgetown, South Carolina; Robert Truman Reece of Redondo, California; Donald Edward Roessler of Harrison, Ohio; and David Lane Woolsey of

St. George, Utah.

Mr. Bush commuted the sentence of Reed Raymond Prior of Des Moines, Iowa, who was sentenced to life in prison for possession of methamphetamine with intent to distribute.

Mr. Winters is only the second person to receive a pardon posthumously. Henry O. Flipper, the first black graduate of the U.S. Military Academy of West Point, was drummed out of the Army after white officers accused him of embezzling about \$3,800 from commissary funds. Mr. Flipper initially discovered the funds missing from his custody and concealed their disappearance from superiors, hoping the money would be returned. President Clinton gave Mr. Flipper a full pardon in 1999.

The list of those granted clemency Tuesday did not include any high-profile criminals seeking pardon before Mr. Bush leaves office in January.

Financier Michael Milken, known as the "Junk Bond King." is seeking a pardon; commutations are being sought for former Louisiana Governor Edwin W. Edwards; former Representative Randy "Duke" Cunningham -California Republican-; and Border Patrol agents Ignacio Ramos and Jose Compean, who are serving prison sentences for shooting a drug smugglers (dozen of lawmakers in Washington have been pushing Mr. Bush to pardon the agents).

According to the Justice Department, former vice-presidential aide I. Lewis "Scooter" Libby Jr., whose conviction last year on obstruction of justice and perjury stemmed from an investigation into the release of CIA operative Valerie Plame's identity, has not applied for a pardon; but, Mr. Bush has already commuted Libby's 30-month prison. A pardon can be granted even if a pardon is not requested.

So far, Mr. Bush has granted 190 pardons and nine commutations. That puts him far behind recent two-term presidents Mr. Clinton granted 396 pardons and 61 commutations, while President Reagan granted 393 pardons and 13 commutations.

End text of news article attached to diplomatic note.

RUNDELL